

Introduced by Senator Soto

February 21, 2006

An act to add Section 39516.5 to the Health and Safety Code, relating to air resources.

LEGISLATIVE COUNSEL'S DIGEST

SB 1377, as introduced, Soto. State Air Resources Board: executive officer.

Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources and generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution. Existing law requires the state board to appoint an executive officer and, except as specified, authorizes the state board to delegate any duty to the executive officer that the state board deems appropriate. Under existing law, any power, duty, purpose, function, or jurisdiction that the state board may lawfully delegate is conclusively presumed to have been delegated to the executive officer unless it is shown that the state board, by affirmative vote recorded in the minutes of the state board, specifically has reserved the same for the state board's own action. Existing law requires the state board, upon the receipt of a petition from any affected member of the public, affected district, or designated air quality planning agency, to hold a public hearing to review any action taken by the executive officer pursuant to specified provisions relating to nonattainment area plans.

This bill would require the executive officer to submit to the Legislature any proposed memorandum of understanding proposed to be entered into between the executive officer and another person or public or private entity, and would prohibit a proposed memorandum

of understanding so submitted from taking effect unless it is approved by statute passed by majority vote of each house of the Legislature and signed by the Governor.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 39516.5 is added to the Health and
- 2 Safety Code, to read:
- 3 39516.5. (a) The executive officer shall submit to the
- 4 Legislature any memorandum of understanding proposed to be
- 5 entered into between the executive officer and any other person
- 6 or public or private entity.
- 7 (b) A proposed memorandum of understanding submitted in
- 8 accordance with subdivision (a) shall not take effect unless it is
- 9 approved by statute passed by majority vote of each house of the
- 10 Legislature and signed by the Governor.